

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BRIAN KNIGHT,

Plaintiff,

v.

CLIMBING MAGAZINE; et al.,

Defendants.

3:11-CV-0146-LRH-RAM

ORDER

Before the court is defendant Skram Media, LLC's ("Skram Media") motion to strike plaintiff Brian Knight's notice to the court (Doc. #41<sup>1</sup>). Doc. #42.

On December 23, 2010, Knight filed a complaint against defendants for libel and intentional infliction of emotional distress in state court. Doc. #1, Exhibit A. Defendants removed the action to federal court on the basis of diversity jurisdiction. Doc. #1. In response, Knight filed a notice to the court concerning removal. Doc. #41. Thereafter, Skram filed the present motion to strike Knight's notice. Doc. #42.

Pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, the court may strike a filing for "any redundant, immaterial, impertinent, or scandalous matter." FED. R. CIV. P. 12(f). In its motion, Skram argues that the notice to the court is an impertinent filing because it was filed

<sup>1</sup> Refers to the court's docketing number.

1 without leave of court. *See* Doc. #42. The court agrees. The notice to the court is without basis or  
2 factual or legal support and shall be stricken from the record. Accordingly, the court shall grant  
3 Skram's motion to strike.

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5 IT IS THEREFORE ORDERED that defendant's motion to strike (Doc. #42) is  
6 GRANTED. The clerk of court shall STRIKE plaintiff's notice to the court (Doc. #41).

7 IT IS SO ORDERED.

8 DATED this 19th day of December, 2011.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE